

KING & SPALDING

191 PEACHTREE STREET
ATLANTA, GEORGIA
30303-1763

404/572-4600
TELEX: 54-2917 KINGSPALD ATL
TELECOPIER: 404/572-5100

SFUND RECORDS CTR

88048902

SFUND RECORDS CTR

0639-92536

AR2769

1730 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, DC 20006
TELEPHONE: 202/737-0500
TELECOPIER: 202/626-3737

745 FIFTH AVENUE
NEW YORK, NY 10151
TELEPHONE: 212/758-8700
TELECOPIER: 212/593-3673

March 26, 1992

VIA FEDERAL EXPRESS

Mr. Keith A. Takata
Deputy Director
Superfund Hazardous Waste
Management Division
United States Environmental
Protection Agency Region IX
Office of Regional Counsel, RC-3-1
75 Hawthorne Street
San Francisco, CA 94105

Re: Request for Information Regarding Del Amo Superfund
Site, Los Angeles, California

Dear Mr. Takata:

I am writing on behalf of my client, The Coca-Cola Company, in response to your letter of February 26, 1992, addressed to Mr. Roberto Goizueta, which contained an information request under Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 ("CERCLA"). 42 U.S.C. § 9604(e). The February 26 letter directed The Coca-Cola Company to respond within 21 days of the letter's receipt. However, on March 18, 1992, Ms. Jeannie Cervera of the Office of Regional Counsel agreed to extend the deadline for the filing of The Coca-Cola Company's response until March 31, 1992.

The February 26 information request directed The Coca-Cola Company to provide "all information and documents your company possesses or has access to regarding the Site or disposal of hazardous substances, pollutants, or contaminants at the Site." The Coca-Cola Company's response is as follows.

Upon receipt of the February 26 letter, The Coca-Cola Company reviewed its files to determine if it currently owns or previously owned property in the vicinity of the Del Amo Site.

In a March 6, 1992 telephone conversation, Ms. Cervera stated that a building which occupies a portion of the Del Amo Site contains the words "Coca-Cola" on it. Nevertheless, The Coca-Cola Company, to the best of its knowledge, after diligent inquiry, concludes that, it does not now own, and at no time in the past has it owned, any facility located on or near the Del Amo Site.

The Coca-Cola Company believes that EPA has incorrectly identified The Coca-Cola Company rather than Coca-Cola Bottling Company of Los Angeles (hereinafter "Bottler") as the owner of property on the Site.

Based on information provided by personnel of Coca-Cola Enterprises Inc. ("CCE"), the parent of Bottler, in response to our inquiries, CCE, Bottler or another subsidiary of that company, sometime within the last two years, apparently purchased or otherwise obtained an interest in property which allegedly occupies a portion of the Del Amo Site.

CCE is not a subsidiary of The Coca-Cola Company. CCE is an independent publicly traded corporation of which The Coca-Cola Company is only a shareholder. While CCE and its subsidiaries, including Bottler, are licensed to produce soft drinks and to use The Coca-Cola trademark, The Coca-Cola Company does not hold a majority interest in, or otherwise control the day-to-day activities of CCE.

For these reasons, The Coca-Cola Company requests that future inquiries concerning this Site be directed to:

Mr. Lowry F. Kline
General Counsel
Coca-Cola Enterprises, Inc.
P.O. Box 1778
Atlanta, GA 30301

The Coca-Cola Company further requests that it be removed from all further future notices concerning this Site inasmuch as it is not a "covered person" as defined in Section 107 of CERCLA. 42 U.S.C § 9607(a).

Mr. Keith A. Takata
March 26, 1992
Page 3

After reviewing this letter, if you have any questions or require any clarification, please feel free to contact me. My telephone number is (404) 572-3314.

Sincerely,



Les Oakes

LO:lss

cc: Ms. Tracey V. Baaset
Ms. Jeannie Cervera
Dr. Michael J. Gilroy
Mr. Robert Lester